

REMARKS AND ARGUMENTS

The Office Action dated February 25, 2009, has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 33-62 are currently pending in this application, with claim 33 being independent. Claims 55 and 59-62 are currently withdrawn from consideration. Claims 33-54 and 56-58 have been amended to address formalities and idiomatic concerns. No new matter is added by these amendments.

Amendments to the Specification

The Amendments to the Specification correct typographical errors and do not add any new matter to this application.

Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 34, 43, 51, 53, and 54 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention. In the interest of furthering the prosecution of this application towards allowance, Applicant has amended the rejected claims to address the concerns expressed in the February 25 Office Action. Accordingly, Applicant respectfully requests that this rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections under 35 U.S.C. § 102((b)

Claims 33-35, 44-45, and 49-51 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. 1,550,944 to Beidler et al. ("Beidler"). This rejection is respectfully traversed.

Claim 33 recites a camera head system including, among other features, a substantially flat holding element on which there are mounted at least three casters, and

at least one of the caster axles is adapted to be rotated and fixed in a horizontal plane in any desired rotary position.

Beidler discloses a stand for cameras that may expand in the vertical direction to adjust the elevation of the camera. Beidler, Col. 1, Lines 30-41. The stand includes an adjustable platform at the top for carrying the camera, Beidler, Col. 1, Lines 42-49, and a base provided with casters for moving the stand, Beidler, Col. 3, Lines 23-44.

Claim 33 is not anticipated by Beidler because Beidler fails to disclose all of the features recited in claim 33. For example, Beidler at least fails to disclose a system with “at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position,” as recited in claim 33. The February 25 Action alleges that this feature is disclosed by the caster arms 21 of Beidler. Applicant respectfully disagrees.

Beidler may arguably disclose that the positions of the caster arms 21 may be adjusted and fixed with respect to the corner blocks 15, 16, and 17 by tightening the wing nuts 20. Beidler, Col. 3, Lines 34-36. However, merely fixing the positions of the caster arms 21 does not fix the horizontal rotation of any of the caster axles. On the contrary, Beidler discloses that each “caster arm carries a socket 22 within which the caster stem 23 is pivoted, so that the caster wheel can easily turn into any position dictated by the movement of the device.” In other words, the caster arms 21 may control the positions of the casters with respect to the corner blocks, but the caster axles themselves freely rotate in a horizontal plane.

Furthermore, Beidler fails to disclose “a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters,” as recited in claim 1. The February 25 Action alleges that this feature is disclosed by the upper platform 74 of Beidler. Applicant respectfully disagrees. As clearly shown in FIG. 1 of Beidler, the platform 74 is carried by the upper end of the stand, see also Beidler, Col. 5, Lines 42-44, while the casters 24 are, at best, attached to the corner blocks 15, 16, and 17, disposed at the base of the stand, and not mounted on the upper platform 74. Beidler, Col. 3, Lines 23-34.

Because Beidler at least fails to disclose a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters and at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position, Beidler does not anticipate claim 33. Furthermore, claims 34, 35, 44, 45, and 49-51 are dependent on claim 33 and incorporate all of the features recited therein and not disclosed by Beidler. Accordingly, Beidler fails to anticipate claims 34, 35, 44, 45, and 49-51 for at least the reasons described above, in addition to the novel features that these claims recite individually. In light of the above, Applicant respectfully requests that this rejection under 35 U.S.C. § 102(b) be withdrawn.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 36-41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beidler. This rejection is respectfully traversed.

First, as discussed above with regard to claim 33, Beidler at least fails to teach or suggest all of the elements recited in that claim. For example, Beidler fails to teach or suggest “a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters” and “at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position,” as recited in claim 33. Claims 36-41 depend from claim 33 and incorporate all of the features recited therein. Therefore claims 36-41 are patentable over Beidler for at least similar reasons as those set forth with regard to claim 33.

Second, the February 25 Action makes the bare, conclusory statement that

it would have been obvious to one of ordinary skill in the art, at the time the invention was made to construct the device of Beidler where the running direction adjusting device comprises markings, a scale with markings, digital display, incremental encoder or direction finding element that indicates said rotary position of said running direction of said at least one caster axle with reference to said holding element at a reference mark, where the scale has a special marking to indicate a desired position

without any finding or even supporting evidence to suggest that the recited features were known in the art. Thus, the February 25 Action fails to establish a prima facie case of obviousness. MPEP § 2143(B).

For at least these reasons, Applicant respectfully requests that the rejection of claims 36-41 under 35 U.S.C. § 102(b) be withdrawn.

Claims 42, 43, and 52-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beidler in view of U.S. Pat. No. 6,484,829 to Cox ("Cox"). This rejection is respectfully traversed.

Cox discloses a self-propelled wheelchair that can perform various functions and is allegedly more mobile than a conventional wheelchair. Cox, Abstract. In normal operation, the wheelchair balances on two drive wheels and one caster. See Cox, FIGS. 2, 3, 5, 15, and Col. 8, Lines 34-47. When ascending or descending stairs, the caster may be retracted so as to not interfere with the operation of the chair. Cox, Col. 9, Line 52 through Col. 10, Line 43.

Claims 42, 43, and 52-54 are patentable over the combination of Beidler and Cox at least because this combination of references fails to teach or suggest every feature recited in these claims. As discussed above, Beidler fails to teach or suggest all of the features recited in claim 33. Cox fails to cure the deficiencies of Beidler in this regard. For example, Cox fails to teach or suggest "a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters" and "at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position," as recited in claim 33. Claims 42, 43, and 52-54 depend from claim 33 and incorporate all of the features recited therein. Therefore claims 42, 43, and 52-54 are patentable over this combination of references for at least similar reasons as those set forth with regard to claim 33. Accordingly, Applicant respectfully requests that this rejection under 35 U.S.C. § 103(a) be withdrawn.

Claims 46-48 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beidler in view of U.S. Pat. No. 3,566,433 to Lewin ("Lewin"). This rejection is respectfully traversed.

Claims 46-48 are patentable over the combination of Beidler and Lewin at least because this combination of references fails to teach or suggest every feature recited in these claims. As discussed above, Beidler fails to teach or suggest all of the features recited in claim 33. Lewin fails to cure the deficiencies of Beidler in this regard. For example, Lewin fails to teach or suggest "a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters" and "at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position," as recited in claim 33. Claims 46-48 depend from claim 33 and incorporate all of the features recited therein. Therefore claims 46-48 are patentable over this combination of references for at least similar reasons as those set forth with regard to claim 33. Accordingly, Applicant respectfully requests that this rejection under 35 U.S.C. § 103(a) be withdrawn.

Claims 56-58 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beidler in view of U.S. Pat. No. 3,924,828 to Epperson ("Epperson"). This rejection is respectfully traversed.

Claims 56-58 are patentable over the combination of Beidler and Epperson at least because this combination of references fails to teach or suggest every feature recited in these claims. As discussed above, Beidler fails to teach or suggest all of the features recited in claim 33. Epperson fails to cure the deficiencies of Beidler in this regard. For example, Epperson fails to teach or suggest "a substantially flat holding element on which there are mounted at an angular spacing about an imaginary vertical axis at least three casters" and "at least one of said caster axles being adapted to be rotated and fixed in a horizontal plane in any desired rotary position," as recited in claim 33. Claims 56-58 depend from claim 33 and incorporate all of the features recited therein. Therefore claims 56-58 are patentable over this combination of references for at least similar reasons as those set forth with regard to claim 33. Accordingly,

Applicant respectfully requests that this rejection under 35 U.S.C. § 103(a) be withdrawn.

In view of the above, all objections and rejections have been sufficiently addressed, and reconsideration is requested. The Applicants submit that the application is now in condition for allowance and request that all pending claims be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02 2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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Date

/GEORGE R. REPPER/
Attorney for the Applicants
George R. Repper
Reg. No. 31,414
ROTHWELL, FIGG, ERNST & MANBECK
1425 K Street, N.W.
Suite 800
Washington, D.C. 20005
(202) 783-6040